

STATE OF CALIFORNIA

GRAY DAVIS, Governor

DEPARTMENT OF FOOD AND AGRICULTURE

WILLIAM (BILL) J. LYONS, JR., Secretary

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June 12, 2000

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The Honorable Daniel Glickman, Secretary
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250

Dear Secretary Glickman:

The California Department of Food and Agriculture (CDFA) and the California Organic Foods Advisory Board (COFAB) would like to thank you for presenting a National Organic Program (NOP) rule that responds to the needs of the organic marketplace. The proposal reflects a positive change from the first proposal released in December 1997.

In an effort to assist you in making a good rule even better, CDFA held six public listening sessions throughout California. Hundreds of individuals and companies provided either oral or written comments regarding the USDA proposal.

Over 250 comments were submitted supporting the continuation of the current practice of the use of sulfites in wine made from organic grapes. The California Organic Foods Act of 1990 allows for the labeling of wine made with organic grapes when sulfites have been added to the product. COFAB has recommended that the federal proposal be amended to continue this allowance. The organic wine grape growers in this state are on public record as stating the proposed NOP rule as written, would have a severe adverse economic impact on their ability to market organic grapes to vintners.

We urge you to consider the public record and continue to allow California vintners who use sulfites to continue labeling wines produced from organic grapes as "made with organic grapes."

Another substantial portion of the public record is related to the use of potassium hydroxide for peeling of peaches. A California processor has presented a body of research data and detailed their experience with the process. California certifiers are currently allowing the use of this process. COFAB's review of the process has resulted in a recommendation that the notation on the national list be changed to allow the use of potassium hydroxide for peeling of fruit when no other viable mechanism is available.

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In addition to the comments of interested parties, CDFA has concerns regarding several areas of the rule, as written, that would be very difficult to comply with or enforce within California. California will be required to amend the California Organic Foods Act of 1990 to comply with the NOP. In addition, regulations will have to be promulgated to further clarify aspects of the law. CDFA, COFAB and the organic industry have submitted comments and suggestions in this area. Areas of concern include recordkeeping; soil fertility; livestock management; and, lack of a definition for trained personnel of certifying organizations.

CDFA's ability to enforce the NOP will be dependent on standards that are clear. CDFA maintains a very proactive enforcement program and, from all indications, will continue to do so under the NOP.

CDFA relied heavily on COFAB to develop these recommendations. COFAB participated in the six public listening sessions, analyzed all comments received, held several board meetings, and formulated committee responses to the proposal.

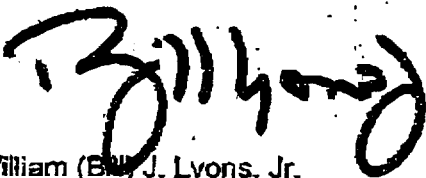
COFAB and CDFA have provided interested parties ample opportunity to voice their concerns. COFAB has presented a well-rounded recommendation, which reflects current practices within the California organic industry.

The outcome of the USDA proposal could have long lasting affects on the organic industry in California. I urge you to accept the recommendations of COFAB and the California organic industry. We are interested in protecting the current organic industry as well as ensuring that it flourishes and develops in the future.

We look forward to working together with the USDA to develop a national program that will ensure integrity and allow for growth in the organic industry.

CDFA stands ready to assist in implementing the National Organic Program when it becomes final.

Sincerely,



William (Bill) J. Lyons, Jr.
Secretary

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